

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BRETT CHRISTIAN, FIREARMS POLICY COALITION,
INC., and SECOND AMENDMENT FOUNDATION

Plaintiffs,

v.

STEVEN G. JAMES, in his official capacity as
Superintendent of the New York State Police, and JOHN J.
FLYNN, in his official capacity as District Attorney for the
County of Erie,

Defendants.

No. 22-cv-00695 (JLS)

DECLARATION OF JOSEPH BARILL

JOSEPH BARILL, declares under penalty of perjury that the following is true and correct:

1. I am an Investigator Specialist 1 at the New York State Attorney General's Buffalo Regional Office.
2. I make this declaration in support of the State's Memorandum of Law in Opposition to Plaintiff's Motion for Summary Judgment and in Support of its Cross-Motion for Summary Judgment.
3. A few days prior to May 18, 2024, Assistant Attorney General Ryan Belka requested that I drive by Stiglmeier Park in Cheektowaga, New York and record my observations.

Stiglmeier Park

4. On the morning of May 18, 2024, I made three passes through Stiglmeier Park and recorded my observations.

5. Stiglmeier Park is an approximately 308 acre park located in a densely populated area of Cheektowaga, New York. Attached as **Exhibit 1** is a plan of Stiglmeier Park.

6. The Park sandwiched between two major thoroughfares Losson Road and Cuomo Park Boulevard and surrounded by residential housing developments. Attached as **Exhibit 2** is a satellite view of Stiglmeier Park including the surrounding areas.

7. I observed the following structures and improvements:

- Five (5) Tennis Courts
- One (1) outdoor hockey rink
- Two (2) full sized basketball courts
- Two (2) half-court basketball courts
- Six (6) baseball diamonds
- Three (3) softball diamonds
- One (1) football field
- Fourteen (14) shelters
- Six (6) children's playgrounds
- Various hiking and walking trails

8. Upon arriving at Stiglmeier Park around 9:00 AM, I observed approximately two dozen parked cars, walkers, bikers, and tennis players.

9. By 9:45 AM, I observed nearly fifty parked cars, walkers, bikers, and tennis players.

10. By 10:15 AM, I observed more than fifty parked cars, walkers, bikers, tennis players, basketball players, baseball players, families using the shelters, and families enjoying the children's playgrounds.

11. All told, more than one hundred (100) people were observed using Stiglmeier Park on the morning of May 18, 2024 for various recreational activities including walking, biking, tennis, basketball, baseball, and family gatherings in the shelters and on the children's playgrounds.

12. During each of my observation sessions, I noted multiple marked Cheektowaga Police vehicles patrolling the park.

Dated: Buffalo, New York
May 31, 2024

/s/ 
JOSEPH BARILL

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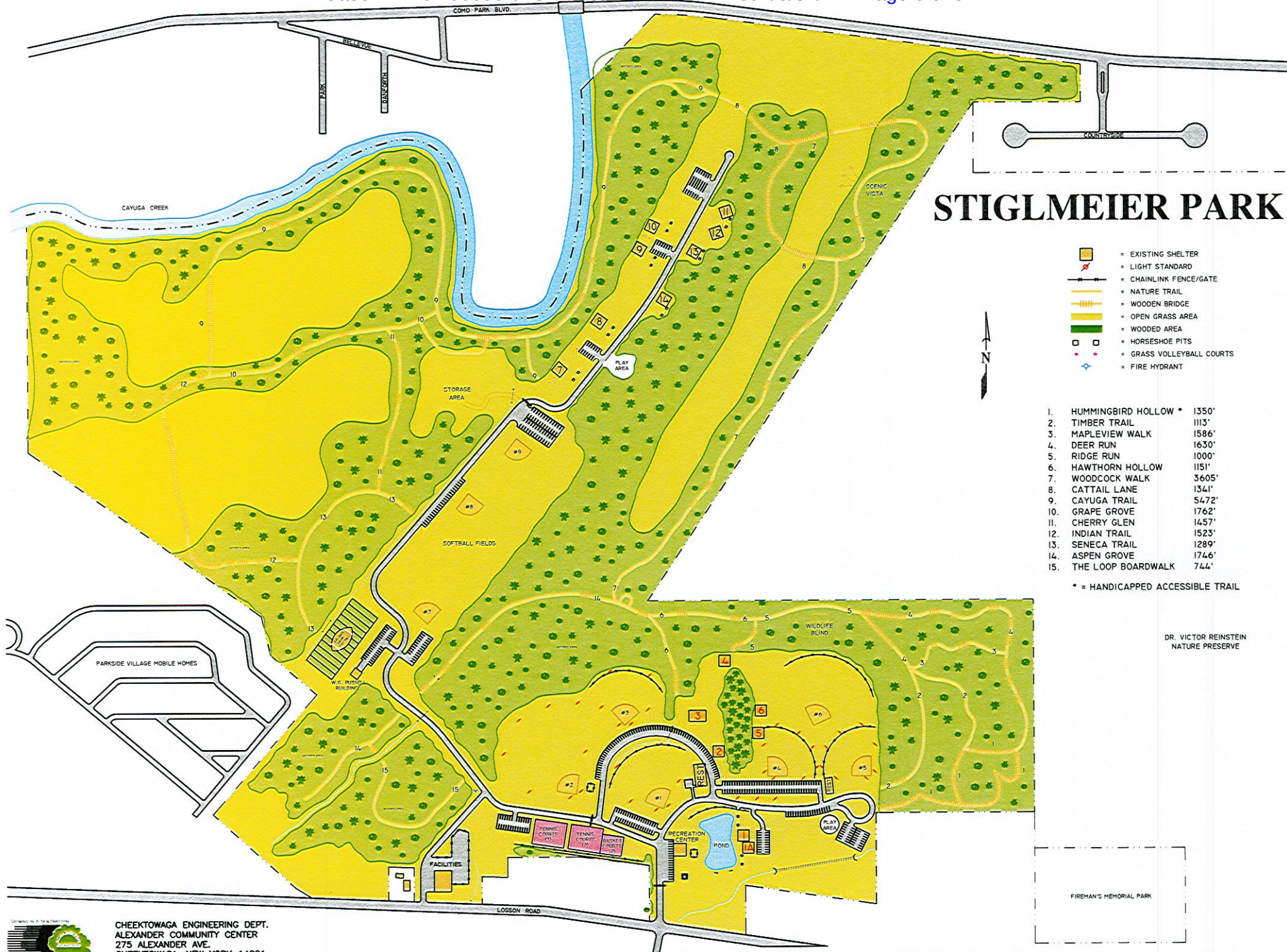
CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2024, I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system.

Dated: Buffalo, New York
May 31, 2024

LETITIA JAMES
Attorney General of the State of New York
Attorneys for Defendant James
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s/ Ryan L. Belka
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Google Maps Stiglmeier Park



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